

REMARKS

Claims 1-3, 7, 16-18, 20, 22, and 24-33 are currently pending in the subject application and are presently under consideration. Applicant amends independent Claims 1, 16, 20, and 22 to clarify claimed subject matter and/or correct informalities. The original specification and drawings support these claim amendments. Therefore, these revisions introduce no new matter.

Claim Rejections under 35 U.S.C. § 103: A. and B.

A. Claims 1-3, 7, 16, 18, 20, 22, and 25-33 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 6,240,555 to Shoff et. al. (hereinafter “Shoff”) in view of U.S. Patent No. 6,374,406 to Hirata (hereinafter “Hirata”). Applicant respectfully traverses the rejection.

Without conceding the propriety of the stated rejections, and only to advance the prosecution of this application, Applicant amends **independent Claim 1**, to clarify further features of the subject matter. Claim 1 recites:

A system for representing at least one of an audio and visual program, comprising:

a token application that obtains a token that identifies a particular broadcast program, the token comprises a schema that is a multi-level data structure with a plurality of different fields, the plurality of fields includes at least a program identifier and one or more broadcast program characteristics that specifies different aspects of the particular broadcast program, the program identifier uniquely identifies the particular broadcast program universally across broadcast providers;

the token application that monitors token translations, wherein the token for selected broadcast program information is translated into local programming data based on identifying information associated with a user;

the token application that stores demographic and marketing information about the user and the selected broadcast program information;

a recording component that schedules a recording of the particular broadcast program based at least in part on the token and the local programming data; and

the recording component that records more than one program concurrently.

Applicant respectfully submits that Shoff and/or Hirata, alone or in combination, fail to disclose, teach, or suggest such a system.

References Fail to Teach or Suggest Features of Claim 1

As discussed during the interview, the proposed claim amendments overcome Shoff and Hirata, alone or in combination. Applicant asserts the Office no longer has a *prima facie* case of obviousness. Shoff and/or Hirata fail to teach or suggest the features of Applicant's amended Claim 1.

Shoff relates to an interactive entertainment system that provides supplemental interactive content along side traditional broadcast video programs such as televisions shows or movies. (*See* Abstract). A viewer tunes in a particular program or browses an electronic programming guide for programs in Shoff. An indication is provided to the viewer when interactive content is available in association with a particular program in Shoff. The interactive content can be downloaded and presented along side the traditional broadcast in Shoff. (*See* Abstract).

Hirata fails to compensate for the deficiencies of Shoff. Hirata relates to using electronic mail to program household appliances, allowing the appliances to accomplish a set of standard tasks. For example, Hirata allows a video deck to record a video program based upon user specified time, date, and channel information. The specified time, date and channel information in Hirata are supplied by the user through electronic mail. While Hirata discloses a video deck that schedules a recording based upon an electronic mail that includes time, date and channel

information, Hirata is silent regarding scheduling a recording based upon a token and local programming data.

In the interest of expediting prosecution, Applicant's amends Claim 1 to recite features that are not disclosed, taught, or suggested by Shoff and/or Hirata. The amended features recite:

the token application that monitors token translations, wherein the token for selected broadcast program information is translated into local programming data based on identifying information associated with a user;
the token application that stores demographic and marketing information about the user and the selected broadcast program information;
the recording component that records more than one program concurrently.

Thus, Shoff and Hirata, alone or in combination, fail to teach or suggest the features of Applicant's amended Claim 1.

Independent Claims 16, 20, and 22 are directed to a computer-readable media, a system, and a method, respectively, and each is allowable for reasons similar to those discussed above with respect to Claim 1.

Independent Claim 16 as amended, recites in part, *"the second component that monitors token translations, wherein the token for selected broadcast program information is translated into local programming data based on identifying information associated with a user; the second component that stores demographic and marketing information about the user and the selected broadcast program information; wherein the recording component records more than one program concurrently."*

Independent Claim 20 as amended, recites in part, *"means for monitoring token translations, wherein the token for selected broadcast program information is translated into local programming data based on identifying information associated with a user; means for*

storing demographic and marketing information about the user; wherein the recording records more than one program concurrently.”

Independent Claim 22 as amended, recites in part, *“monitoring token translations, wherein the token for selected broadcast program information is translated into local programming data based on identifying information associated with a user; storing demographic and marketing information about the user and the selected broadcast program information; and wherein the recording system records more than one program concurrently.”*

Neither Shoff nor Hirata, alone or in combination, teach or suggest these features.

Dependent Claims 2-3, 7, 18, 20, 22, and 25-33 depend directly or indirectly from one of independent Claims 1, 16, 20, or 22, respectively, and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features that, in combination with those recited in Claims 1, 16, 20, and 22, are not disclosed, taught, or suggested by Shoff and/or Hirata, alone or in combination.

Applicant respectfully submits that the cited references do not render the claimed subject matter obvious and that the claimed subject matter, therefore, patentably distinguishes over the cited references. For all of these reasons, Applicant respectfully requests the §103(a) rejection of these claims should be withdrawn.

In view of at least the foregoing, Applicants’ representative respectfully submits that the cited references, alone or in combination, fail to make obvious all the limitations recited in the claims.

B. Claims 10, 17, and 24 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Shoff in view of Hirata. Applicant respectfully traverses the rejection.

As discussed during the interview, the proposed claim amendments overcome Shoff and Hirata, alone or in combination.

The Non-Final Office Action indicates that Applicant's Claim 10 is rejected. However, as Claim 10 has been previously cancelled, the rejection of Claim 10 is moot.

The rejection of Claims 17 and 24 should be withdrawn. Claims 17 and 24 depend from independent Claims 16 and 22, respectively, and for reasons stated above, Shoff and Hirata, alone or in combination, fail to teach or suggest all features recited in Applicant's Claims 16 and 22, from which the subject claims depend. Accordingly, withdrawal of this rejection is respectfully requested.

Applicant respectfully submits that the cited references do not render the claimed subject matter obvious and that the claimed subject matter, therefore, patentably distinguishes over the cited references. For all of these reasons, Applicant respectfully requests the §103(a) rejection of these claims should be withdrawn.

CONCLUSION

The claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of the subject application. If any issue remains unresolved that would prevent allowance of this case, the Office is requested to contact the undersigned attorney to resolve the issue.

Fees will be paid by credit card through the EFS Web; however, Applicant hereby authorizes the Commissioner to charge any deficiency of fees and credit any overpayments to Deposit Account Number 12-0769.

Respectfully Submitted,

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